

Guildford and Waverley Borough Councils

Report to: Council

Date: 23 January 2024

Ward(s) affected: N/A

Report of Director: Transformation & Governance

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Report Status: Open

Appointment of Interim Joint Chief Executive and Head of Paid Service

1. Executive Summary

- 1.1 Section 4 of the Local Government and Housing Act 1989 requires a local authority to designate one of their officers as the Head of Paid Service. Pedro Wrobel, the new Chief Executive will take up this role from Monday 8 April 2024, However, for the period between 9 February, when Tom Horwood leaves, and 8 April both Councils will need to designate another individual as the interim Joint Chief Executive and Head of Paid Service.
- 1.2 This report sets out the approach that has been followed in respect of the appointment of an interim Joint Chief Executive and Head of Paid Service to cover this role between 9 February and 8 April 2024.
- 1.3 The Leaders of Guildford and Waverley Borough Councils invited expressions of interest from the current Joint Strategic Directors in respect of covering the interim role of Joint Chief Executive and Head of Paid Service for both authorities. The deadline set for receipt of expressions of interest was Thursday 11 January 2024.

1.4 At its meeting held on 15 January 2024, the Joint Appointments Committee (JAC) considered the expressions of interest put forward from two of the Joint Strategic Directors and conducted interviews with them. Details of the JAC's formal recommendation to both councils in this regard¹ will be circulated to all councillors. Any formal offer of appointment is subject to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001.

2. Recommendation to Council

2.1 This Council (and Waverley Borough Council) will be asked to consider the recommendation of the JAC, following its meeting on 15 January 2023 for an appointment to the role of interim Joint Chief Executive and Head of Paid Service, which will be made subject to the agreement of both councils and to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives.

3. Reasons for Recommendation:

3.1. To appoint an interim Joint Chief Executive and Head of Paid Service, as part of the agreed collaboration arrangements between Guildford and Waverley Borough Councils to ensure compliance with the requirements of Section 4 of the Local Government and Housing Act 1989.

4. Exemption from publication

4.1 The content of **Appendix 1** (the expression of interest from the JAC's preferred candidate) is to be treated as exempt from the Access to Information publication rules because the process for candidate selection will involve the disclosure, or likely disclosure of personal information about the candidates and is therefore exempt from

¹ extraordinary meetings of both councils are scheduled to take place on 23 January 2024 at Guildford and 24 January 2024 at Waverley

publication by virtue of paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 as follows:

(1) "Information relating to any individual".

4.2 The content is restricted to councillors.

4.3 It is not anticipated that the exempt information can be expected to be made available for public inspection.

4.4 The decision to maintain the exemption may be challenged by any person at the point at which the Council may be invited to pass a resolution to exclude the public from the meeting to consider the exempt information.

5. Purpose of Report

Following the resignation of Tom Horwood as the Joint Chief Executive/Head of Paid Service and prior to the appointment of Pedro Wrobel as the Joint Chief Executive/Head of Paid Service the JAC, at its meeting held on 15 January 2024, was invited to consider the expressions of interest from the candidates and agree a recommendation in respect of the formal appointment of an interim Joint Chief Executive/Head of Paid Service.

5.2 The JAC's role, as set out in its terms of reference, is:

"Adopting and exercising such of the functions of Guildford Borough Council and Waverley Borough Council ("the councils") as can be delegated by those councils in respect of the appointment of the councils' Joint Chief Executive/Head of Paid Service and any Joint Statutory Officer and Director posts as are covered by the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended) or any successor regulations."

6. Strategic Priorities

6.1 The interim Joint Chief Executive/ Head of Paid Service plays a pivotal role in the delivery of Guildford and Waverley Borough Councils'

aspirations set out in the respective Corporate Plan and Corporate Strategy.

7. Background

7.1. The requirement for an interim Joint Chief Executive/Head of Paid Service has occurred due to there being a gap between the departure of current Joint Chief Executive/Head of Paid Service, Tom Horwood on Friday 9 February and the start date of the new Joint Chief Executive/Head of Paid Service, Pedro Wrobel on Monday 8 April 2024.

7.2. The process for the appointment of the interim Joint Chief Executive and Head of Paid Service is set out below:

- Consideration was given to the approach required by the Leaders of the Councils should an interim Joint Chief Executive/Head of Paid Service be required.
- It was decided that due to the short period of cover required it did not make operational or financial sense to appoint an external interim Joint Chief Executive/Head of Paid Service.
- It was decided to invite expressions of interest from the current Strategic Directors to cover the interim role of Joint Chief Executive/Head of Paid Service.

8. Financial Implications

8.1 Under the collaboration agreement, the cost of employing a Joint Chief Executive/Head of Paid Service is split equally between the two councils, with Waverley being the employing council.

8.2 The appointed candidate to the role of Interim Joint Chief Executive/Head of Paid Service will receive an honorarium payment equivalent to the difference between their salary and that of the Joint Chief Executive/Head of Paid Service for the two-month period of cover.

9. Legal Implications

9.1 The Local Authorities (Standing Orders) (England) Regulations 2001 Schedule 1 Part II paragraph 4(1) as amended ('the Regulations')

state that the function of the appointment of an authority's head of paid service must be exercised by the authority (that is, its full Council) before an offer of appointment is made. In this regard, meetings of the full Council of both authorities must confirm the appointment of the interim Joint Chief Executive/Head of Paid Service role before an offer of appointment is made.

- 9.2 The offer of appointment as interim Joint Chief Executive/Head of Paid Service may only be made where no well-founded objection has been made by the Leaders of both councils on behalf of their respective Executives, with the ability to raise an objection being limited to members of the Executive via the Leader, in accordance with the provisions of Schedule 1 Part II paragraph 5 of the Regulations. Details of whether any such objection has been received will be confirmed before the extraordinary Council meeting.

10. Human Resource Implications

- 10.1 The interim Joint Chief Executive/Head of Paid Service is the most senior officer appointment and leads the strategic Joint Management Team at Guildford and Waverley Borough Councils.

11. Equality and Diversity Implications

- 11.1 Equality impact assessments are carried out when necessary to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010. There are no immediate equality, diversity, or inclusion implications in this report's recommendations. Impact assessments may be required as further collaboration proposals are developed and implemented and will be reported as appropriate.

12. Climate Change/Sustainability Implications

- 12.1 The climate change emergency declaration and the urgent target for net zero carbon by 2030 is a critical objective for both councils. While no specific impacts on the climate emergency declaration have been identified as a consequence of this report's recommendations, the Councils will be assessing and prioritising the environmental, climate and carbon impacts of any proposals that emerge.

13. Background Papers

None

14. Appendices

Appendix 1: Expression of Interest from the JAC's preferred candidate
[EXEMPT] – to follow